

U.S. Patent Application No. 09/905,156  
Supplemental Amendment After Final Rejection dated January 14, 2004  
Reply to final Office Action dated March 24, 2003

**AMENDMENTS TO THE CLAIMS:**

This listing of claims will replace all prior versions, and listings, of claims in the application:

**LISTING OF CLAIMS:**

Claims 1-3 (canceled)

Claim 4 (currently amended): The polyurethane of claim 26, wherein said hydroxyalkanoate is 3 hydroxybutyric acid combined with ethylene glycol, 1, 3 propane diol, 1,2 propane diol, 1,3 butane diol, 1, 4 butane diol, diethanolamine, or combinations thereof.

Claim 5 (previously presented): The polyurethane of claim 26, wherein said hydroxyalkanoate is 3 hydroxybutyric acid combined with polyethylene glycol having from about 1 to about 100 ethylene glycol repeat units.

Claim 6 (previously presented): The polyurethane of claim 26, wherein said hydroxyalkanoate is a mixture of 3 hydroxybutyric acid and 3 hydroxyvaleric acid combined with ethylene glycol, 1, 3 propane diol, 1,2 propane diol, 1,3 butane diol, 1, 4 butane diol, or combinations thereof.

Claim 7 (previously presented): The polyurethane of claim 26, wherein said hydroxyalkanoate is a mixture of 3 hydroxybutyric acid and 3 hydroxyvaleric acid combined with polyethylene glycol having from about 1 to about 100 ethylene glycol repeat units.

Claim 8 (previously presented): The polyurethane of claim 26, wherein said isocyanate containing material is toluene diisocyanate, methylene 4, 4' diphenyl diisocyanate, isophorone diisocyanate, hexamethylene diisocyanate, a combinations thereof.

U.S. Patent Application No. 09/905,156  
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Claim 9 (previously presented): The polyurethane of claim 26, wherein the weight ratio of isocyanate groups to hydroxy groups is from 0.5:1 to 2:1.

Claim 10 (previously presented): The polyurethane of claim 26, wherein the polyurethane is biodegradable.

Claim 11 (previously presented): The polyurethane of claim 26, wherein the polyurethane is hydrophilic.

Claim 12 (previously presented): The polyurethane of claim 26, wherein the polyurethane is hydrophobic.

Claim 13 (previously presented): The polyurethane of claim 26, wherein the polyurethane is a coating.

Claim 14 (previously presented): The polyurethane of claim 26, wherein the polyurethane is a flexible foam.

Claim 15 (previously presented): The polyurethane of claim 26, wherein the polyurethane is a rigid foam.

Claim 16 (previously presented): The polyurethane of claim 26, wherein the polyurethane is an elastomer.

Claim 17 (previously presented): The polyurethane of claim 26, wherein the polyurethane is water dispersible.

Claim 18 (previously presented): The polyurethane of claim 26, wherein the hydroxyalkanoate is a polymer of one or more subunits having the chemical formula:



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wherein  $n$  is 0 or an integer, and wherein  $R^1$ ,  $R^2$ ,  $R^3$ , and  $R^4$ , which are the same or different, is selected from saturated and unsaturated hydrocarbon radicals; halo- and hydroxy-substituted radicals; hydroxy radicals; halogen radicals; nitrogen-substituted radicals; oxygen-substituted radicals; or hydrogen atoms.

Claim 19 (previously presented): The polyurethane of claim 26, wherein said hydroxyalkanoate is a polymer.

Claim 20 (original): The polyurethane of claim 19, wherein said polymer is a homopolymer or copolymer.

Claim 21 (original): The polyurethane of claim 19, wherein said polymer is a copolymer of 3-hydroxybutyric acid and 4-hydroxybutyric acid.

Claim 22 (original): The polyurethane of claim 19, wherein said hydroxyalkanoate is a polymer of 3 hydroxybutyric acid and 3 hydroxyhexanoic acid, or a polymer of 3 hydroxybutyric acid and 3 hydroxyoctanoic acid.

Claim 23 (original): The polyurethane of claim 19, wherein said hydroxyalkanoate is a polymer of 1,3 hydroxy butyric acid; 1,4 hydroxy butyric acid, or both.

Claim 24 (currently amended): A method of making a the polyurethane of claim 26, comprising reacting at least one product containing at least one two isocyanate groups containing material per molecule and a at least one compound having at least two hydroxyl groups having different reactivity to the at least two isocyanate groups hydrogen atoms capable of reacting with the at least one isocyanate, wherein said at least one compound contains, as part of the compound, a thermally decomposable or a biodegradable hydroxyalkanoate component.

U.S. Patent Application No. 09/905,156  
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Claim 25 (original): The method of claim ~~23~~ 24, wherein said compound having at least two hydrogen atoms is primarily a mono ester.

Claim 26 (previously presented): A polyurethane obtained by the reaction of at least one product containing at least two isocyanate groups per molecule and at least one compound having at least two hydroxyl groups having different reactivity to the at least two isocyanate groups, wherein the at least one compound includes a thermally decomposable or biodegradable hydroxyalkanoate component.

Claims 27-36 (canceled)